

REMARKS

These remarks are set forth in response to the non-final office action mailed February 9, 2005 (the "Office Action"). As this amendment has been timely filed within the three-month statutory period, neither an extension of time nor a fee is required. Presently, claims 1 through 11 are pending in the Patent Application. Claims 1, 4 and 8 are independent in nature. In the Office Action, each of claims 1, 4, 5, 8 and 9 have been rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Application Publication No. 2004/0022380 by Lynam et al. (Lynam). Additionally, claims 2, 3, 6, 7, 10 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lynam in view of United States Patent Application Publication No. 2003/0009372 by Nyhan et al (Nyhan) and United States Patent No. 6,556,818 to Meehan.

In response, the Applicants respectfully traverse the Examiner's rejections on the art. Prior to addressing the rejections on the art, however, a brief review of the Applicants' invention is appropriate. The Applicants have invented a method, system and apparatus for accessing variable data through LIDB access. Specifically, in accordance with the present invention, a call connection can be processed in a PSTN to connect a calling party with a called party. During the course of the call connection, variable information regarding the call can be collected outside of the PSTN. Examples can include the name of the caller, a preferred service or a customer identifier. Once the call connection has been completed, the collected information can be written to a record in the LIDB within the PSTN which corresponds to the calling party. Subsequently, prior to the establishment of another call connection initiated by the calling party, the

information regarding the call can be retrieved from the LIDB in the PSTN and forwarded for use by the called party outside of the PSTN.

Turning now to the rejections on the art, Lynam teaches a method to validate a subscriber line of a telecommunication network. The Lynam method includes receiving a billing telephone number associated with the subscriber line. A selection of one of a plurality of operations is received for a validation system to obtain line identification data of the subscriber line. The operations include receiving an inbound communication at the validation system from a communication terminal associated with the subscriber line, and initiating an outbound communication from the validation system to the communication terminal associated with the subscriber line. Finally, responsive to a selected operation, the line identification data of the subscriber line is obtained.

As shown in Figure 8 of the Lynam application, a LIDB host is coupled to a module configured to receive a billing telephone number associated with a subscriber. The LIDB host includes a line number portability (LNP) database. The LNP database provides access to a plurality of industry standard LIDBs. In operation, the subscriber line number can be provided to the LIDB host, which, in turn, can communicate reference subscriber data in the form of industry standard LIDB codes back to the module for processing. The module then processes the LIDB codes to provide a requesting merchant with validation data relating to the purchase or transaction based on subscriber line. Thus, unlike conventional LIDB applications which use a LIDB to make decisions regarding destination subscriber lines or call completion decisions, the module is used to identify telephone numbers of originating subscriber lines.

Significantly, despite the incorporation of a LIDB in the Lynam architecture, the Lynam reference fails to teach each claimed limitation of claims 1, 4 and 8. Specifically, claim 1 requires that the LIDB include both invariant data (as is the case in the LIDB of Lynam) as well as variant data which is definitely not the case in Lynam. Rather, in Lynam data can never be written to the LIDB--data only can be read from the LIDB. However, claims 1, 4 and 8 further explicitly require that variable data can be persisted to the LIDB which is not possible in the Lynam architecture in which the LIDB is used only to obtain telephone numbers of callers.

The Examiner notes that because the LNP database is included as part of the LIDB, the data in the LIDB is necessarily variable because as subscribers relocate geographically speaking, the records in the LNP must change accordingly. While the Applicants appreciate the Examiner's argument, the Applicants note that the variability of the data in the LIDB of the Applicants' invention, as recited in claim 1, is produced in an application which has been "deployed outside of the PSTN in a data communications network". Likewise, claims 4 and 8 recite that persisting of variable data collected during a call. As it is known in the art, LNP data is produced off-line within the PSTN as a function of the Regional Bell Operating Companies. To that end, Lynam does not teach each and every recited limitation of claims 1 through 11.

Thus, the Applicants believe that claims 1-11 distinguish over the cited art and stand patentable and ready for an indication of allowance. To that end, the Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a) owing to the foregoing remarks. This entire application is now believed to be in condition for allowance. Consequently, such action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the

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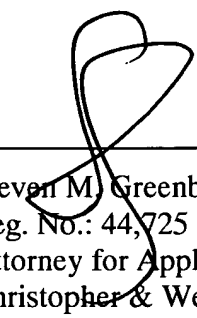
Attorney Docket No.: BOC920030108US1 (1082-12U)

Examiner believes a telephone interview would expedite the prosecution of the subject

application to completion.

Respectfully submitted,

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